

## **Bell County Indigent Defense Plan**

### **Amended Felony Fee Schedule**

**May 30, 2018**

#### **9. Fee and Expense Payment Process**

##### **9.3 Fee Schedule for Felony Cases**

###### **Felony Cases**

- (1) \$450 for plea, dismissal after indictment, revocation or motion to adjudicate on a State Jail or 3rd degree;
- (2) At the election of the defense counsel, \$75/hour\* or \$450 for a plea, dismissal after indictment, revocation or motion to adjudicate on 1st degree, or 2nd degree case;
- (3) \$70/hour\* for the trial of any state jail felony or 3<sup>rd</sup> degree felony offense;
- (4) Additional felony cases disposed of in connection with the trial, plea, dismissal after indictment, revocation or motion to adjudicate will be compensated at the rate of \$50 per case or such hourly rate as may be appropriate;
- (5) \$75/hour\* for appeals;
- (6) \$75/hour for non-death penalty capital murder cases, 1<sup>st</sup> and 2<sup>nd</sup> degree felonies;
- (7) \$50/hour\* for attorneys appointed second chair pursuant to the attorney mentoring program for trial, plea, dismissal, revocation, or adjudication. Fees shall not exceed \$400 except in the event of a trial.
- (8) \$250 total fee for all cases in the event of motion(s) to substitute counsel or withdrawal for a defendant on State jail or 3<sup>rd</sup> degree offense(s) are filed within 30 days of appointment;
- (9) \$350 for withdrawal or a motion to substitute counsel on all cases for a defendant on a State jail or 3<sup>rd</sup> degree offense(s) filed 30 days or more after appointment;

(10) Additional \$100 for the representation of a defendant with mental health concerns handled on the mental health docket.

(11) Hourly rates or fixed fees as determined by the court on a case-by-case basis for the representation of a defendant in a death penalty capital felony.

(12) A reasonable fee upon an attorney's removal or withdrawal from all pending cases in which the attorney was appointed.

In exceptional circumstances and for good cause shown, an attorney may request payment at a rate in excess of the rates specified above. Payment in excess of the fee schedule herein shall be in the sole discretion of the trial court hearing the case.

Attorneys are required to provide detailed attorney fee vouchers requesting payment for cases paid by hourly rate to the nearest .10/hour.

\*Hourly rates specified above apply for all documented time incurred in the representation of the defendant in the assigned case that a qualified professional would agree was objectively reasonable and necessary for the representation of the defendant.



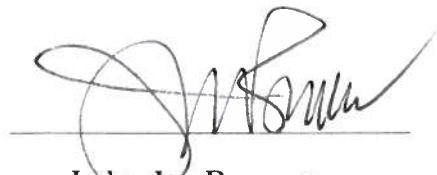
Judge Fancy Jezek  
426<sup>th</sup> District Court



Judge Gordan Adams  
169<sup>th</sup> District Court



Judge John Gauntt  
27<sup>th</sup> District Court



Judge Jon Burrows  
Bell County Judge